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HOUSE BILL 931

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Henry Kiki Saavedra

AN ACT

**RELATING TO WATER QUALITY; AMENDING SECTION 74-1-8 NMSA 1978
(BEING LAWS 1971, CHAPTER 277, SECTION 11, AS AMENDED BY LAWS
2000, CHAPTER 86, SECTION 2 AND ALSO BY LAWS 2000, CHAPTER 96,
SECTION 2) TO CLARIFY DRINKING WATER STANDARDS; RECONCILING
MULTIPLE AMENDMENTS IN LAWS 2000.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 74-1-8 NMSA 1978 (being Laws 1971,
Chapter 277, Section 11, as amended by Laws 2000, Chapter 86,
Section 2 and also by Laws 2000, Chapter 96, Section 2) is
amended to read:**

"74-1-8. BOARD--DUTIES.--

**A. The board is responsible for environmental
management and consumer protection. In that respect, the board
shall promulgate rules and standards in the following areas:**

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1 (1) food protection;
2 (2) water supply, including a capacity
3 development program to assist water systems in acquiring and
4 maintaining technical, managerial and financial capacity in
5 accordance with Section 1420 of the federal Safe Drinking Water
6 Act and rules authorizing imposition of administrative
7 penalties for enforcement and also providing that standards for
8 drinking water supply shall be at least as stringent as the New
9 Mexico water quality control commission's water quality
10 standards for the protection of human health;

11 (3) liquid waste, including exclusive
12 authority to establish on-site liquid waste system fees that
13 are no more than the average charged by the contiguous states
14 to New Mexico for similar permits and services and to implement
15 and administer an inspection and permitting program for on-site
16 liquid waste systems;

17 (4) air quality management as provided in the
18 Air Quality Control Act;

19 (5) radiation control and establishment of
20 license, registration and other related fees as provided in the
21 Radiation Protection Act;

22 (6) noise control;

23 (7) nuisance abatement;

24 (8) vector control;

25 (9) occupational health and safety as provided

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1 in the Occupational Health and Safety Act;

2 (10) sanitation of public swimming pools and
3 public baths;

4 (11) plumbing, drainage, ventilation and
5 sanitation of public buildings in the interest of public
6 health;

7 (12) medical radiation, health and safety
8 certification and standards for radiologic technologists as
9 provided in the Medical Radiation Health and Safety Act;

10 (13) hazardous wastes and underground storage
11 tanks as provided in the Hazardous Waste Act; and

12 (14) solid waste as provided in the Solid
13 Waste Act.

14 B. Nothing in Subsection A of this section imposes
15 requirements for the approval of subdivision plats in addition
16 to those required elsewhere by law. Nothing in Subsection A of
17 this section preempts the authority of any political
18 subdivision to approve subdivision plats.

19 C. Administrative penalties collected pursuant to
20 Paragraph (2) of Subsection A of this section shall be
21 deposited in the water conservation fund.

22 D. On-site liquid waste system fees shall be
23 deposited in the liquid waste fund.

24 E. Radiation license, registration and other
25 related fees shall be deposited in the radiation protection

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